

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

5

Document # \_\_\_\_\_

\_\_\_\_\_  
Ronald Defeo

USCA NO. \_\_\_\_\_

-v-

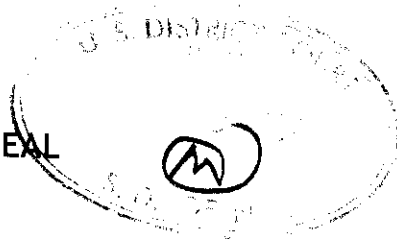
SDNY NO. 07cv3038

JUDGE: KMW

DATE: 6 / 20 / 2007

MD Stephen O Schwartz  
\_\_\_\_\_

INDEX TO THE RECORD ON APPEAL



PREPARED BY (NAME) Nezam D.  
FIRM APPEALS SECTION  
ADDRESS UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF NY  
500 PEARL STREET, NEW YORK, NEW YORK 10007  
PHONE NO. (212) 805-0636

DISTRICT COURT DOCKET ENTRIES \_\_\_\_\_

DOCUMENTS

DOC#

\_\_\_\_\_  
Clerk's Certificate

\_\_\_\_\_  
See Attached List of Numbered Documents

\_\_\_\_\_  
Only Circled Documents Included

( ☒ ) Original Record

( ☐ ) Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.  
for the Second Circuit on the 20<sup>th</sup> Day of June, 2007.

**United States District Court for  
the Southern District of New York**

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Victor Davis

-V-

New York State Division of Parole et al  
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Date: 5 / 20 / 2007

U.S.C.A. # \_\_\_\_\_

U.S.D.C. # 07cv3038

D.C. JUDGE KMW

**Clerk's Certificate**

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 6, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

**Date Filed**

**Document Description**


In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 20<sup>th</sup> Day of June In this year of our Lord, Two Thousand and Seven, and the Independence of the United States this 231<sup>st</sup> year.

**J. Michael McMahon, Clerk**

By \_\_\_\_\_  
Deputy Clerk

APPEAL, CLOSED

**U.S. District Court  
 United States District Court for the Southern District of New York (Foley Square)  
 CIVIL DOCKET FOR CASE #: 1:07-cv-03038-KMW  
 Internal Use Only**

Defeo v. Schwartz  
 Assigned to: Judge Kimba M. Wood  
 Demand: \$1,000,000  
 Cause: 42:1983 Prisoner Civil Rights

Date Filed: 04/16/2007  
 Date Terminated: 04/16/2007  
 Jury Demand: Plaintiff  
 Nature of Suit: 555 Prisoner: Prison Condition  
 Jurisdiction: Federal Question

Date Filed	#	Docket Text
04/16/2007	<u>1</u>	COMPLAINT against Stephen O Schwartz. Document filed by Ronald Defeo.(jeh) (Entered: 04/19/2007)
04/16/2007		Magistrate Judge Ronald L. Ellis is so designated. (jeh) (Entered: 04/19/2007)
04/16/2007	<u>2</u>	ORDER OF DISMISSAL; For the reasons discussed below,however, plaintiff's action is dismissed without prejudice, and his application for the appointment of counsel is denied as moot. Accordingly, the complaint, filed in forma pauperis under 28 U.S.C. 1915(a)(1), is dismissed pursuant to 28 U.S.C. 1915(e)(2). The Court certifies pursuant to 28 U.S.C. 1915(a)(3) that any appeal from this order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 04/16/2007) (jeh) (Entered: 04/19/2007)
04/16/2007	<u>3</u>	JUDGMENT. Ordered, Adjudged and Decreed: That this action be and is hereby dismissed. 28 U.S.C. 1915(e)(2). The court certifies pursuant to 28 U.S.C. 1915(a)(3) that any appeal from the Court's order will not be taken in good faith. (Signed by Judge Kimba M. Wood on 04/16/2007) (jeh) (Entered: 04/19/2007)
05/16/2007	<u>4</u>	NOTICE OF APPEAL from [3] Judgment - Sua Sponte (Complaint), Document filed by Ronald Defeo. (nd) (Entered: 06/19/2007)
05/16/2007		Appeal Remark as to [4] Notice of Appeal filed by Ronald Defeo. \$455.00 APPEAL FILING FEE DUE. (nd) (Entered: 06/19/2007)
06/19/2007		Transmission of Notice of Appeal to the District Judge re: [4] Notice of Appeal. (nd) (Entered: 06/19/2007)
06/19/2007		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: [4] Notice of Appeal. (nd) (Entered: 06/19/2007)